

REMARKS

In the Office Action mailed December 20, 2004, the Examiner rejected claims 20, 21, 24-27, 29 and 30 and objected to claims 22, 23 and 28. By way of the foregoing amendments and the markings to show changes, Applicants have amended claim 20 and claim 25 and canceled claims 24 and 28. The foregoing amendments are taken in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicant would otherwise be entitled in view of the prior art.

I. Drawings

The Office Action objected to the drawings suggesting that line 3-3 is not shown in the drawings and that reference sign "24" is not shown in Figs 4-5. Replacement drawings are provided herewith to address the objections.

II. Information Disclosure Statement

The Office Action requested that Applicants provide a copy of, "the Foreign Patent Documents and Non Patent Literature that have been lined through." Although Applicants contend that such documents and literature were provided with the IDS as filed, Applicants have resubmitted copies herewith with 1449 forms.

The Office Action requested that Applicants clarify whether the reference referred to as "Application of Stuctural Foam in the Body in White – Reinforcement Roof Rail Side of the OPEL ASTRA" is available as prior art. Applicants are of the belief that such reference is not available as prior art against the present application.

The Office action requested that applicants clarify the serial numbers or any type of identification number of the references referred to as "International Search Report dated September 7, 2001" and "International Preliminary Examination Report dated June 25, 2002". Applicants inform the Examiner that these references are documents issued for the PCT application that is based upon the Parent Patent Application of the Present application.

III. Claim Rejections under 35 USC 102 and 103

The Office Action rejected claims 20, 21, 24-27, 29 and 30 as being unpatentable in view of Barz et al. (6,131,897). Applicants have amended claim 20 to include the language of claims 24 and 28. Claim 28 was dependent upon claim 24, which was dependent upon claim 20. The Office Action indicated claim 28 as being allowable if rewritten in independent form. Thus claim 20 is allowable since it embodies previous dependent claim 28 in independent form.

IV. Allowed and Allowable Claims

The Office Action indicated claims 31-40 as allowed. Claim 20 has been amended as described above and is presently allowable. As a result, each of the claims of the present application is allowed or allowable. A notice of allowance is respectfully requested.

By amending the application, the Applicants do not concede that the patent coverage available to them would not extend as far as the original claim. Rather, Applicants intend to file a continuation application to pursue the breadth of the claims as filed. Applicants believe that the Examiner has not made a sufficient showing of inherency of the teachings of the asserted prior art, especially given the lack of teachings in the cited references of the properties that Applicants have recited in their claims.

Further, by the present amendment, it does not follow that the amended claims have become so perfect in their description that no one could devise an equivalent. After amendment, as before, limitations in the ability to describe the present invention in language in the patent claims naturally prevent the Applicants from capturing every nuance of the invention or describing with complete precision the range of its novelty or every possible equivalent. See, Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 62 USPQ2d 1705 (2002). Accordingly, the foregoing amendments are made specifically in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicants would otherwise be entitled.

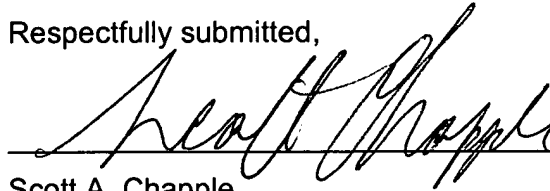
CONCLUSIONS

In view of Applicants' amendments and remarks, the Examiner's rejections are believed to be rendered moot. Accordingly, Applicants submit that the present application is in condition for allowance and requests that the Examiner pass the case to issue at the earliest convenience. Should the Examiner have any question or wish to further discuss this application, Applicant requests that the Examiner contact the undersigned at (248) 292-2920.

If for some reason Applicant has not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent the abandonment of this application, please consider this as a request for an extension for the required time period and/or authorization to charge our Deposit Account No. 50-1097 for any fee which may be due.

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Respectfully submitted,



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